THE HONOURABLE SRI JUSTICE N.V.RAMANA

Writ Petition No.23586 of 2006

Dated: 15th November, 2006

Between:

The Depot Manager,
A.P.S.R.T.C, Medak District. **…..PETITIONER**

AND

Ch.Kistaiah, W/o Venkaiah,
Marpadaga Village,
Kondapak Mandal, Medak District
and another. **….RESPONDENTS**

THE HONOURABLE SRI JUSTICE
N.V.RAMANA

W.P.No.23586 of 2006

ORDER:

The A.P.S.R.T.C filed this writ petition challenging the award dated 23-7-2002 of the Labour Court-II, Hyderabad made in I.D.No.110/1999.

Heard the learned Standing Counsel for the petitioner/A.P.S.R.T.C and the learned Government Pleader for Labour and perused the impugned award.

The impugned award of the labour Court directing reinstatement of the 1st respondent was passed on 23-7-2002 and subsequently the 1st respondent/workman was reinstated. The petitioner/APSRTC after reinstating the 1st respondent/workman into service as per the award of the labour court slept over the matter for about four years and odd and filed this present writ petition. Learned Standing Counsel for the petitioner except stating that the delay is due to administrative reasons, has not explained the reasons for the enormous delay in filing the writ petition. Be that as it may, a perusal of the award would disclose that

the 1st respondent caused an accident due to which one lady passenger died. The labour Court after taking into consideration the total evidence on record held that unfavourable climatic conditions, such as heavy rain and gale, are partly responsible for the accident. Holding so, the labour court reinstated the

1st respondent into service, however without back-wages. The Labour Court has rightly exercised its discretion by passing the impugned award. In that view of the matter, I see no error apparent on the face of the record for interference of this Court in exercise of its Certiorari jurisdiction under Article 226 of the Constitution of India. The writ petition fails and is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

_____

(N.V. RAMANA, J.)

Date:15th November, 2006.

GRK